

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
PENNSYLVANIA

UNITED STATES OF AMERICA,	:	
	:	Criminal No. 2:20-cr-00143-JMG
v.	:	
	:	
JEREL ANDRE WILLIAMS	:	

MOTION TO WITHDRAW AS COUNSEL

TO: Mr. Jerel Andre Williams
(by certified mail, RRR; regular mail; e-mail)

Michael Lowe, Esquire
Assistant United States Attorneys
(by electronic filing)

PLEASE TAKE NOTICE that on a date to be set by the Court, the undersigned counsel, pursuant to U.S. District Court for the Eastern District of Pennsylvania Local Civil Rule 83.6 and 234 PA Code §120 and Rule 1.7., hereby moves the Court for leave to withdraw their appearance as counsel for defendant JEREL ANDRE WILLIAMS in the above-captioned case. In support thereof, the undersigned counsel will rely on the attached certification of counsel, and oral argument (if any).

Respectfully submitted,

/s/ Troy A. Archie, Esq.

Troy A. Archie, Esquire

Dated: July 23, 2021

/s/ Tamika Mckoy, Esq.

Tamika Mckoy, Esquire

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**CERTIFICATION IN SUPPORT OF MOTION TO WITHDRAW AS COUNSEL AND
OF SERVICE**

I, Troy A. Archie, Esquire, hereby certify as follows:

1. I represent the defendant in the above-captioned matter.
2. Mr. Williams consistently has failed to meet certain financial obligations under the terms of our long-standing written fee agreement, despite numerous oral and written requests that he do so since in or about April of 2021. He has not provided an additional advance retainer for anticipated services in connection with the trial preparation or trial of this matter despite several requests orally and in writing since at least April of 2021. Mr. Williams has advised as recently as July 10, 2021 that he has no intention of providing additional legal fees for trial preparation or trial, despite his intention to proceed to trial in this matter, and despite that he has no advance retainer fees currently maintained by counsel (nor has he for some time). Indeed, there is currently a balance due on Mr. Williams' account.
3. My office has notified Mr. Williams on several occasions in writing and orally of my intention to withdraw unless his obligations are fulfilled, and I have granted indulgences at his request to delay the filing of this motion, for him to provide additional advance retainer regarding the substantial legal fees for trial preparation and trial that will be incurred. The government advised that it has at least approximately 10 witnesses, and that trial will take 1-2 weeks and may spill into a third week, based on Mr. Williams anticipated defense. Further, Mr. Williams cannot meet his financial obligation to retain Cornerstone Legal Consultants from trial assistance and digital presentation.

4. Mr. Williams has failed “substantially to fulfill an obligation to the lawyer regarding the lawyer's services and has been given reasonable warning that the lawyer will withdraw unless the obligation is fulfilled.” **PA.R.P.C. 1.16(b)(5).**
5. I have made numerous unsuccessful attempts at resolving the economic issues between Mr. Williams and myself. Mr. Williams advised on 7-10-2021 that he does not intend to pay me going forward.
6. Mr. Williams also has made communications to me characterizing my office’s collection efforts, to which I responded directly to Mr. Williams.
7. Compelled continued representation only would cause Mr. Williams’ unpaid legal fees to grow substantially further. Indeed, Mr. Williams currently maintains an outstanding balance to this firm. There would be no recourse except for the undersigned to seek collection against Mr. Williams, and indeed such presents a conflict situation.
8. Being in a position of growing economic “conflict” with Mr. Williams as his legal fees would continue to mount, with Mr. Williams advising me that he both will not and cannot satisfy financial obligations to me, coupled with his inability to retain trial support from Cornerstone Legal Consultant in a case with thousands of pages of discovery puts Mr. Williams at a distinct disadvantage at trial.
9. In light of the above circumstances, continued representation by me will result in an unreasonable financial burden on my office.

PA Professional Conduct (RPC) 1.16(b)(6).

10. I have spoken to Mr. Williams and he has lingering health issues from contracting Covid-19 earlier this year and was recently hospitalized in Texas for additional health problems. As a result he has been unable to work consistently and relies on his wife for income presently.
11. Therefore, based on the foregoing, I respectfully request leave of Court to withdraw my appearance as counsel and to be relieved of any obligation to perform any legal services for Mr. Williams.
12. I hereby certify that I personally e-mailed a copy of the motion to withdraw as counsel, this certification, and the proposed form of Order to defendant Jerel Andre Williams, also caused a copy to be served upon Mr. Williams by certified United States mail RRR, as

well as by regular United States mail.

13. All the above information applies equally to Tamika Mckoy, Esq. who was assisting Troy A. Archie on the case.
14. I, Troy a. Archie, advised Mr. Williams that I am willing to remain on the case if the court were to appointment under the CJA Act. However, I am not on the Eastern District of Pennsylvania panel. I am a New Jersey panel member since 2002 and also have multiple appointments in the Third Circuit Court of Appeals, and that the court will likely send his case to an Eastern District of Pennsylvania panel member on the Federal Defendants Office.

Respectfully submitted,

/s/ Troy A. Archie

Troy Archie, Esquire

Dated: July 23, 2021

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UNITED STATES OF AMERICA,

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JEREL ANDRE WILLIAMS

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**ORDER PERMITTING
WITHDRAWAL AS COUNSEL**

THIS MATTER having been opened to the Court upon the Motion of Troy A. Archie and Tamika Mckoy, Esquire for leave of Court to withdraw as counsel for defendant JEREL ANDRE WILLIAMS; the Court having considered the Certification of Troy A. Archie and Tamkia Mckoy in support of said motion; the Court having found that good cause exists for granting the motion,

IT IS on this _____ day of _____, 2021, hereby

ORDERED that the motion of Troy A. Archie, Esquire to withdraw as counsel for defendant JEREL ANDRE WILLIAMS is GRANTED, and that Troy a. Archie and Tamika Mckoy shall not be required to perform any further legal services for, or to represent defendant regarding the above-captioned case.

HONORABLE John M. Gallaghen
United States District Judge